

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
EVANSVILLE DIVISION

JONATHAN RICHARDSON, a.k.a.  
AUTUMN CORDELLIONÉ,

Plaintiff,

V.

COMMISSIONER, INDIANA  
DEPARTMENT OF CORRECTION, in her  
official capacity,

Defendant.

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No. 3:23-cv-135-RLY-CSW

## **Docketing Statement of Appellant**

In compliance with Federal Rule of Appellate Procedure 3 and Seventh Circuit Rule 3(c), Defendant Commissioner, Indiana Department of Correction, in her official capacity, submits this Docketing Statement.

1. **Statement of District Court Jurisdiction:** Plaintiff Jonathan Richardson, a.k.a. Autumn Cordellioné, filed this action for declaratory and injunctive relief, alleging that Indiana Code § 11-10-3-3.5—which provides that the Indiana Department of Correction may not use any resources to provide sexual reassignment surgery to offenders—violates the Eighth and Fourteenth Amendments to the U.S. Constitution. Dkt. 1. On September 5, 2023, Plaintiff moved for a preliminary injunction on those claims. Dkt. 10. Although Plaintiff’s claims raise a federal question concerning civil rights sufficient to confer jurisdiction under 28 U.S.C. §§ 1331 and 1343, the Commissioner argued in the district court that Plaintiff lacks standing. Dkt. 58.

2. **Statement of Appellate Jurisdiction:** The Court of Appeals has jurisdiction over this appeal under 28 U.S.C. § 1292(a)(1) because this is an appeal from an order granting a preliminary injunction and a preliminary injunction. On September 17, 2024, the district court

issued an order granting Plaintiff's motion for a preliminary injunction on both the Eighth and Fourteenth Amendment grounds, Dkt. 96, and preliminarily enjoined Defendant, Dkt. 97. A timely notice of appeal from the order granting the preliminary injunction and preliminary injunction is being filed contemporaneously with this docketing statement on October 16, 2024. This is not a direct appeal from the decision of a magistrate judge. No Rule 59(e) Motion to Alter or Amend Judgment or other motion tolling the time for filing a Notice of Appeal has been filed. The merits of this case remain pending in the district court.

3. **Prior or Related Appellate Proceedings:**

This appeal is related to the *K.C. v. Individual Members of the Medical Licensing Board*, No. 23-2366 (7th Cir.), insofar as both cases concern whether laws regulating gender-transition procedures are subject to rational-basis review under the Fourteenth Amendment.

4. **Current Occupants of Offices Appearing in Their Official Capacities:** The

current Commissioner of the Indiana Department of Correction is Christina Reagle.

Respectfully submitted,

Theodore E. Rokita  
Indiana Attorney General

Dated: October 16, 2024

By: /s/ Alexander R. Carlisle  
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